

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Dec 20, 2018**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Evan Earl Bailes

Case Number: 0980 2:13CR02112-SAB-1

Address of Offender:

Ellensburg, Washington 98926

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: October 30, 2014

Original Offense: Distribution of Heroin, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 48 months;  
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 21 days;  
(November 7, 2018) TSR - 35 months

Asst. U.S. Attorney: Benjamin Seal

Date Supervision Commenced: November 7, 2018

Defense Attorney: Jennifer Barnes

Date Supervision Expires: October 6, 2021

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**PETITIONING THE COURT**

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

1

**Standard Condition #2:** After initially reporting to the probation office, you will receive instruction from the Court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.**Supporting Evidence:** Mr. Bailes is alleged to have violated standard condition #2 by not reporting to the probation office as directed on December 19, 2018.

Mr. Bailes met with a United States Probation Officer on December 7, 2018, and reviewed the conditions of supervised release outlined in the Judgement and Sentence. The offender signed the document acknowledging he understood the conditions imposed.

On December 7, 2018, this officer instructed Mr. Bailes to report to the probation office in Yakima, Washington, on December 19, 2018, at 10:30 a.m. to participate in the Sobriety Treatment and Education Program (STEP). Mr. Bailes failed to report as directed and he failed to contact this officer to explain why he could not report.

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**December 19, 2018**

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- 2            **Special Condition #3:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Bailes is alleged to have violated special condition #3 by not submitting a urinalysis test on December 17, 2018, as directed.

Mr. Bailes met with a United States Probation Officer on December 7, 2018, and reviewed the conditions of supervised release outlined in the Judgement and Sentence. The offender signed the document acknowledging he understood the conditions imposed.

On December 7, 2018, this officer directed Mr. Bailes to start calling the Merit Resources Services ( Merit) color line for random urinalysis testing. Mr. Bailes was informed he must report to Merit for a urinalysis test when the color brown is called. Mr. Bailes has utilized the Merit color line in the past and is fully aware of the process.

On December 18, 2018, this officer contacted Merit staff in Ellensburg, Washington. Merit staff informed this officer that Mr. Bailes failed to show up for urinalysis testing on December 17, 2018. Mr. Bailes did not contact this officer to explain why he could not provide a urinalysis.

- 3            **Standard Condition #5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

**Supporting Evidence:** Mr. Bailes is alleged to have violated standard condition #5 by changing his living arrangements without notifying this officer, on or about December 8, 2018.

Mr. Bailes met with a United States Probation Officer on December 7, 2018, and reviewed the conditions of supervised release outlined in the Judgement and Sentence. The offender signed the document acknowledging he understood the conditions imposed.

On December 7, 2018, Mr. Bailes informed this officer he would be living at his father's residence, 3930 Thorp Highway, Ellensburg, Washington. On December 18, 2018, this officer spoke with the offender's father on the phone. The offender's father informed this officer that the offender has not stayed at 3930 Thorp Highway, Ellensburg, Washington, since December 8, 2018. Mr. Bailes did not contact this officer to discuss different living arrangements.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring Evan Earl Bailes to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 19, 2018

s/Phil Casey

Phil Casey  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

December 20, 2018

Date